March 3, 2004

Assistant Commissioner of Patents

Washington, DC 20231

PROTEST UNDER 37 CFR 1.291(a)

Re: Method and system for electronically distributing, displaying and controlling advertising and other communicative media

US File # 20020023274 Filed: April 6, 2001

Sirs:

Recently I found the above referenced patent filing and believe this filing has NOT issued in the U.S. The US File # is 20020023274

I am voicing an objection as a concerned third party and as a U.S. Citizen. The patent filing describes at great length an advertising delivery system using a database containing advertisements retained and maintained at the client level in cache or on disk (Claim 16) in a client-server ad delivery system. This patent application relates to displaying advertising by matching voluntary user actions or initiating triggers (0042) Entering a trigger event into a browser locator window, makes a match with data in the remotely controlled and updated (0031) database and in the event a match is made, appropriate content or advertisement is displayed. This is referred to as "pull" advertising as a voluntary action on the part of a user interacts with a pre-established database and a targeted ad is displayed.

The abstract reads in part, "The forth type of input to the scheduling system is a trigger event which is received from a source external to the scheduling system. Upon receiving a trigger event, particular media content will be played."

Relevant Claims are #1, 2, 11, 16 and others in which the inventor refers displaying ads stored at the client level and displaying them based on triggering events.

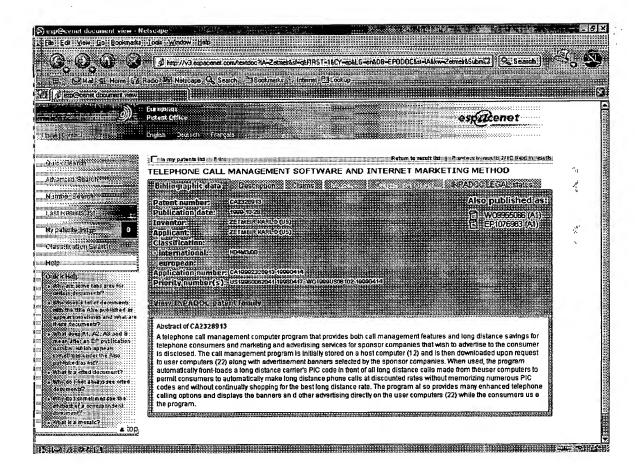
I am objecting to this patent application as it is neither novel nor unique. It is of particular note that prior art submitted does not include references to systems that were commercially offered in 2001. The filers are correct that a targeted system based on interactive actions is more accurate and excels in its ability to deliver "relevant" ads at the exact moment of interest. However, the filers did not include the following references:

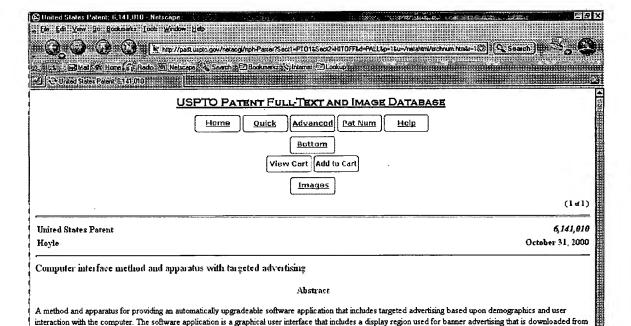
1. US Patent 6,141,010 ... equivalent technology

- Gator.com (recently changed to Claria.com) has been marketing such a system since 1998
- 3. WO9955066 (A1) or EP1076983 (A1) ... equivalent technology

There may be more prior art preceding the 4/6/2001 filing.

I believe the Examiner should look very closely at the Claim made and judge accordingly.





time to time over a network such as the Internet. The software application is accessible from a server via the Internet and demographic information on the user is acquired by the server and used for determining what banner advertising will be sent to the user. The software application further targets the advertisements in response to normal user interaction, or use, of the computer. Associated with each banner advertisement is a set of data that is used by the software application in determining when a particular banner is to be displayed. This includes the specification of certain programs that the user may have so that, when the user runs the program (such as a spreadsheet program), an advertisement will be displayed that is relevant to that program (such as an advertisement for a stock brokerage). This provides two-tiered, real-time targeting of advertising—both demographically and reactively. The software application includes programming that accesses the server on occasion to determine if one or more components of the application need upgrading to a newer version. If so, the components are downloaded and installed

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without requiring any input or action by the user.

